

REMARKS

The present application has been reviewed in light of the Office Action dated June 16, 2008. Claims 19-42 are presented for examination, of which Claims 19, 25, 29, 36, 41, and 42 are in independent form. Claims 19-42 have been amended hereby to define aspects of Applicants' invention more clearly. Favorable reconsideration is requested.

The June 16, 2008 Office Action stated that Claims 1-4, 8, 10-14, 17, and 18 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,115,137 (*Ogawa et al.*); that Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ogawa et al.* in view of U.S. Patent No. 6,065,123 (*Chou et al.*); that Claims 6, 15, and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ogawa et al.*; that Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ogawa et al.* in view of U.S. Patent Application Publication No. 2003/0014446 (*Simpson et al.*); and that Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ogawa et al.* in view of U.S. Patent Application Publication No. 2001/0029531 (*Ohta*). Cancellation of Claims 1-18 renders their rejections moot. Applicants submit that independent Claims 25, 29, 36, 41, and 42, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 19 is directed to a wireless communication device. The wireless communication device includes: (1) a determination unit adapted to determine whether or not an instruction to start a processing of setting a communication parameter is made; (2) a detection unit adapted to detect a signal transmitted from another wireless communication device, which might be communicated with, at which an instruction to start the processing of setting a communication parameter has been made; (3) a terminating unit adapted to terminate the

processing of setting the communication parameter as a failure if the detection unit detects a plurality of signals transmitted from a plurality of another wireless communication device at which the instruction has been made within a constant time period after the determination unit determines the instruction is made.

A notable feature of Claim is “a terminating unit adapted to terminate the processing of setting the communication parameter as a failure if said detection unit detects a plurality of signals transmitted from a plurality of another wireless communication device at which the instruction has been made within a constant time period after said determination unit determines the instruction is made.” By virtue of this feature, a one-to-many relationship is avoided, between a wireless camera and a plurality of wireless printers for example.<sup>1</sup> That is, this feature enables a one-to-one relationship to be established, between a wireless camera and a wireless printer, for example.

*Ozawa et al.* relates to an image processing system for processing an image sensed by a digital camera to be printed by a printing apparatus, and a digital camera and printing apparatus suitable for the image processing system. *Ozawa et al.* discusses that an infrared communication link may be established between a digital camera 10 and a printer 12, and that the digital camera 10 can transmit image data to the printer 12 using the infrared communication link (col. 6, lines 19-32 and 49-65, abstract, and FIGS. 2, 3 5, and 6). The infrared communication link is established by the camera 10, in Step S1 of FIG. 5, in which a communication connection is set with the printer via an infrared ray communication interface. Similarly, the infrared communication link is established by the printer 12, in Step S21 of FIG. 6, in which a communication connection is set with the camera via an infrared ray communication interface. However, *Ozawa et al.* is silent

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<sup>1</sup>/ The example(s) presented herein are intended for illustrative purposes only. Any details presented in the illustrative example(s) should not be construed to limit the scope of the claims.

regarding terminating a process if multiple printers 12 attempt to set a communication connection with the camera 10.

Based on the foregoing, nothing has been found in *Ozawa et al.* that is believed to teach or suggest a wireless communication device including “a terminating unit adapted to terminate the processing of setting the communication parameter as a failure if said detection unit detects a plurality of signals transmitted from a plurality of another wireless communication device at which the instruction has been made within a constant time period after said determination unit determines the instruction is made,” as recited in Claim 19. Moreover, nothing has been found in *Chou et al.*, *Simpson et al.*, and *Ohta* that is believed to teach or suggest those same features, or cure the mentioned deficiencies of *Ozawa et al.* Accordingly, Applicants submit that Claim 19 is patentable *Ozawa et al.*, *Chou et al.*, *Simpson et al.*, and *Ohta*, whether considered alone or in any permissible combination.

Independent Claims 25, 29, 36, 41, and 42 include a feature similar to that discussed above, in which processing of setting a communication parameter as a failure is terminated if multiple signals are detected within a constant time period after it is determined that the instruction is made. Therefore, those claims also are believed to be patentable over the above references for at least the reasons discussed above. The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual consideration of the patentability of each claim on its own merits is respectfully requested.

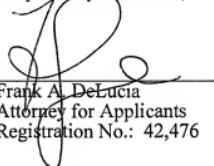
No petition to extend the time for response to the Office Action is deemed necessary for the this Amendment. If, however, such a petition is required to make this

Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and an early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

  
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